

Abstract: Temporary agency employment – legal theory and application practice

The title of this diploma thesis is „Temporary agency employment - Legal theory and application practice“, where temporary agency employment being is characterized as flexible form or provision of labor force. The main aim of this work is to summarize the regulations of temporary agency employment and to point out problematic its most critical flaws. The thesis additionally highlights the most important differences compared to regulations in force in neighboring countries.

The first chapter defines the central attributes of temporary agency employment, including flexibility and secondment. It further formalizes how temporary agency employment differs from similar concept of outsourcing. The main law text sources are subsequently presented and set to the historical law context of the Czech Republic.

The third chapter defines the main players partaking in temporary agency employment, with focus on how permissions are obtained, the deposit obligation and the bankruptcy insurance.

The fourth chapter deals with interplay of labor and commercial law, including the definition of individual terms of the contract. Next, the liabilities of all parties are explained, with particular focus on regulation of salary and employment terms, liability for damage and their insufficiency in comparison to conventional labor contracts.

In following, the thesis provides summary of employment terms for foreigners as staff on secondment on behalf of the undertaking user. Subsequently, the main reasons for the popularity of temporary agency employment are listed, highlighting, among others, its contribution to lowering unemployment levels.

The issues related to frequent violations of regulations of temporary agency employment, and the concealed secondment in particular, are treated in the last chapter.